



Federal Register

11-22-04

Vol. 69 No. 224

Monday

Nov. 22, 2004

Pages 67805-68052



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.archives.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 69 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to <http://listserv.access.gpo.gov> and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list

Then follow the instructions.

What's NEW!

Regulations.gov, the award-winning Federal eRulemaking Portal

Regulations.gov is the one-stop U.S. Government web site that makes it easy to participate in the regulatory process.

Try this fast and reliable resource to find all rules published in the **Federal Register** that are currently open for public comment. Submit comments to agencies by filling out a simple web form, or use available e-mail addresses and web sites.

The Regulations.gov e-democracy initiative is brought to you by NARA, GPO, EPA and their eRulemaking partners.

Visit the web site at: <http://www.regulations.gov>



Contents

Federal Register

Vol. 69, No. 224

Monday, November 22, 2004

Administration on Aging

See Aging Administration

Aging Administration

NOTICES

Meetings:

- 2005 White House Conference on Aging Policy Committee, 67915

Agriculture Department

See Grain Inspection, Packers and Stockyards Administration

Antitrust Division

NOTICES

National cooperative research notifications:

- Actuarial Standards Board, 67940
- American Association for Accreditation of Ambulatory Surgery Facilities, 67940
- American Association of Textile Chemists and Colorists, 67940
- American College of Osteopathic Emergency Physicians, 67940–67941
- American Institute of Aeronautics and Astronautics, 67941
- American Society of Baking, 67941
- Association for Information and Image Management, 67941–67942
- Automotive Lift Institute, 67942
- Builders Hardware Manufacturers Association, Inc., 67942
- Commission on English Language Program Accreditation, 67942–67943
- Composite Panel Association, 67943
- Consortium for Advanced Manufacturing-International, 67943
- Cyber Security Industry Alliance, Inc., 67943
- Distributed Management Task Force, Inc., 67943–67944
- DVB Project, 67944
- Electric Reliability Council of Texas, Inc., 67944
- Electronic Industries Alliance, 67944
- Gaming Standards Association, 67944–67945
- Glazing Industry Secretariat Committee, 67945
- GlobalPlatform, Inc., 67945
- Illuminating Engineering Society of North America, 67945
- Institute of Nuclear Materials Management, 67945–67946
- International Imaging Industry Association, Inc., 67946
- Joint Venture (under ATP Award No. 70NANB4H3044), 67946
- Material Handling Industry, 67946–67947
- National Council for Prescription Drug Programs, 67947
- National Electrical Manufacturers Association, 67947
- National Fluid Power Association, 67947–67948
- OASIS Open, 67948
- Open Geospatial Consortium, Inc., 67948
- Outdoor Power Equipment Institute, 67948–67949
- Petroleum Environmental Research Forum, 67949
- Software Defined Radio Forum, 67949–67950
- Southwest Research Institute, 67950
- Steel Joist Institute, 67950
- Steel Tank Institute, 67950

Unified Abrasive Manufacturers Association, 67950–67951

Video Electronics Standards Association, 67951

Window & Door Manufacturers Association, 67951

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Centers for Disease Control and Prevention

NOTICES

Grants and cooperative agreements; availability, etc.:
National Academic Centers of Excellence on Youth Violence Prevention, 67915–67930

Coast Guard

NOTICES

Meetings:

- Towing Safety Advisory Committee, 67932

Commerce Department

See Industry and Security Bureau

See International Trade Administration

Commodity Futures Trading Commission

RULES

Commodity Exchange Act:

- Derivatives transaction execution facility registration or contract market designation; application procedures, 67811–67817

Consumer Product Safety Commission

NOTICES

Meetings; Sunshine Act, 67899

Defense Department

RULES

Acquisition regulations:

- Architect-engineer services contracting, 67855–67856
- Freedom of Information Act; implementation, 67856
- Government supply sources; contractor use, 67858
- Obsolete research and development contracting procedures removed, 67857–67858
- Small disadvantaged businesses and leader company contracting, 67855
- Technical amendments, 67854–67855
- Technical data conformity; written assurance, 67856–67857

PROPOSED RULES

Acquisition regulations:

- Information technology equipment; government inventory screening, 67884–67885
- Telecommunications services—
Basic agreements, 67883–67884
- Clauses update, 67885–67886

NOTICES

Acquisition regulations:

- Contract financing; Contractor's Request for Progress Payments (SF 1443), 67899

Agency information collection activities; proposals, submissions, and approvals, 67899–67901

Meetings:

- U.S. Joint Forces Command Transformation Advisory Group, 67901

Drug Enforcement Administration**NOTICES**

Applications, hearings, determinations, etc.:

Indace, Inc., 67951–67962

ISP Freetown Fine Chemicals, Inc., 67962–67963

Orasure Technologies, Inc., 67963

Employment and Training Administration**NOTICES**

Federal-State unemployment compensation program:

Federal law interpretations—

Trade Adjustment Assistance Program; Training and
Employment Guidance Letters; correction, 67963–
67964

Federal Unemployment Tax Act; certifications, 67964

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency**RULES**

Air quality implementation plans; approval and
promulgation; various States:

Oregon, 67819–67823

PROPOSED RULES

Air quality implementation plans; approval and
promulgation; various States:

Oregon, 67880

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 67903–67911

Federal Aviation Administration**RULES**

Airworthiness directives:

McCauley Propeller Systems, 67807–67809

MD Helicopters, Inc., 67805–67807

Mooney Airplane Co., Inc., 67809–67811

Class E airspace; correction, 67811

PROPOSED RULES

Airworthiness directives:

Airbus, 67869–67872

Pacific Aerospace Corp., Ltd., 67864–67867

Rolls-Royce Corp., 67867–67869

Airworthiness standards:

Special conditions—

Cessna Model 172 series airplanes, 67860–67864

NOTICES

Exemption petitions; summary and disposition, 68001–
68002

Federal Communications Commission**RULES**

Radio services, special:

Private land mobile services—

800 MHz band; public safety interference proceeding,
67823–67854

PROPOSED RULES

Radio services, special:

Private land mobile services—

800 MHz band; public safety interference proceeding;
ex parte presentations, etc., 67880–67882

Radio stations; table of assignments:

New Jersey and Texas, 67882–67883

Ohio and Kentucky, 67882

NOTICES

Applications, hearings, determinations, etc.:

Gulf Power Co., 67911–67912

Federal Energy Regulatory Commission**NOTICES**

Electric rate and corporate regulation filings, 67902–67903

Applications, hearings, determinations, etc.:

Sun River Electric Cooperative, Inc., 67901–67902

Federal Highway Administration**NOTICES**

Environmental statements; notice of intent:

Riverside County, CA, 68002–68003

Federal Maritime Commission**NOTICES**

Investigations, hearings, petitions, etc.:

China Shipping Container Lines (Hong Kong) Co., Ltd.,
67912

Federal Railroad Administration**RULES**

Railroad safety:

Locomotive horns use at highway-rail grade crossings;
sounding requirement, 67858–67859

Federal Reserve System**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 67912–67913

Banks and bank holding companies:

Change in bank control, 67913

Formations, acquisitions, and mergers, 67913–67914

Fish and Wildlife Service**NOTICES**

Endangered and threatened species:

Incidental take permits—

Elbert County, CO; Preble's meadow jumping mouse,
67934

Food and Drug Administration**RULES**

Animal drugs, feeds, and related products:

Estradiol, 67818–67819

Trenbolone acetate and estradiol benzoate, 67817–67818

NOTICES

Reports and guidance documents; availability, etc.:

Approved or abbreviated new drug application
specifications; enforcement discretion for compendial
changes, 67930–67931

Geological Survey**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 67934–67935

Meetings:

Commercial Remote Sensing Space Policy
Implementation Working Group, 67935

Grain Inspection, Packers and Stockyards Administration**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 67887–67890

Health and Human Services Department

See Aging Administration

See Centers for Disease Control and Prevention

See Food and Drug Administration

See Health Resources and Services Administration

NOTICES

Grants and cooperative agreements; availability, etc.:
Family planning—
Services projects; correction, 67914–67915

Health Resources and Services Administration**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 67931
Grant and cooperative agreement awards:
International AIDS Education and Training Center, 67931–67932

Homeland Security Department

See Coast Guard

See Transportation Security Administration

Housing and Urban Development Department**RULES**

Grants:

Home Investment Partnerships Program; homeownership affordability requirements; amendments, 68849–68852

Industry and Security Bureau**PROPOSED RULES**

National security industrial base regulations:
Defense priorities and allocations system; rated orders rejection; electronic transmission of reasons, 67872–67873

Interior Department

See Fish and Wildlife Service

See Geological Survey

See Land Management Bureau

See Minerals Management Service

Internal Revenue Service**PROPOSED RULES**

Income taxes:

Predecessors and successors; section 355(e) gain recognition limitation, 67873–67880

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 68003–68004

International Trade Administration**NOTICES**

Antidumping:

Polychloroprene rubber from—
Japan, 67890–67891

Polyester staple fiber from—
Korea, 67891–67892

Stainless steel sheet and strip in coils from—
Germany, 67896–67898
Italy, 67894–67896

Various countries, 67892–67894

Countervailing duties:

Stainless steel sheet and strip in coils from—
Korea, 67898–67899

Justice Department

See Antitrust Division

See Drug Enforcement Administration

Labor Department

See Employment and Training Administration

Land Management Bureau**PROPOSED RULES**

Land resource management:

Indian allotments—

Federal regulatory review; withdrawn, 67880

NOTICES

Oil shale research and development, CO, UT, and WY; potential, 67935–67938

Minerals Management Service**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 67938–67939

National Foundation on the Arts and the Humanities**NOTICES**

Meetings:

Arts Advisory Panel, 67964

Nuclear Regulatory Commission**RULES**

Production and utilization facilities; domestic licensing:
Risk-informed categorization and treatment of structures, systems, and components for nuclear power reactors, 68007–68048

NOTICES

Environmental statements; availability, etc.:

Belair Quartz, Inc., 67964–67965

Meetings:

Reactor Safeguards Advisory Committee, 67965

Reports and guidance documents; availability, etc.:

Enforcement actions; policy and procedures—

Civil monetary penalties; inflation adjustment; correction, 68005

Pacific Northwest Electric Power and Conservation Planning Council**NOTICES**

Columbia River Basin Fish and Wildlife Program; amendments, 67966

Personnel Management Office**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 67966–67967

Presidio Trust**NOTICES**

Meetings:

Board of Directors, 67967

Securities and Exchange Commission**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 67967–67968

Self-regulatory organizations; proposed rule changes:

Boston Stock Exchange, Inc., 67968–67970

Chicago Board Options Exchange, Inc., 67971–67972

Fixed Income Clearing Corp., 67972–67973

International Securities Exchange, Inc., 67974–67979

National Association of Securities Dealers, Inc., 67979–67980

New York Stock Exchange, Inc., 67980–67999

Pacific Exchange, Inc., 67999–68001

Small Business Administration**NOTICES**

Disaster loan areas:

Alabama, 68001

North Carolina, 68001
Meetings:
National Advisory Council, 68001

Transportation Department

See Federal Aviation Administration
See Federal Highway Administration
See Federal Railroad Administration

Transportation Security Administration**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 67933–67934

Treasury Department

See Internal Revenue Service

Separate Parts In This Issue**Part II**

Nuclear Regulatory Commission, 68007–68048

Part III

Housing and Urban Development Department, 68849–68852

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

10 CFR

5068808

14 CFR

39 (3 documents)67805,
67807, 67809
7167811

Proposed Rules:

2367860
39 (3 documents)67864,
67867, 67869

15 CFR**Proposed Rules:**

70067872

17 CFR

3767811
3867811

21 CFR

522 (2 documents)67817,
67818

24 CFR

9268850

26 CFR**Proposed Rules:**

167873

40 CFR

5267819

Proposed Rules:

5267880

43 CFR**Proposed Rules:**

253067880

47 CFR

2 (2 documents)67823,
67853
22 (2 documents)67823,
67853
24 (2 documents)67823,
67853
74 (2 documents)67823,
67853
78 (2 documents)67823,
67853
90 (2 documents)67823,
67853

Proposed Rules:

267880
2267880
2467880
73 (2 documents)67882
7467880
7867880
9067880

48 CFR

21167854
21767855
219 (2 documents)67855
22467856
22767856
23567857
25167858
252 (2 documents)67856,
67858

Proposed Rules:

239 (3 documents)67883,
67884, 67885
25267885

49 CFR

22267858
22967858